

THE LAND PLANNING AND DEVELOPMENT (GUERNSEY) LAW, 2005
AND THE LAND PLANNING AND DEVELOPMENT (GENERAL PROVISIONS)
ORDINANCE, 2007

NOTIFICATION OF GRANT OF PLANNING PERMISSION

PROPOSALS: Remove upper conservatory, erect single storey extension to north, erect single storey extension to east elevation. Add 1st floor extension to east elevation. Alterations to fenestration, driveway and hard-standing. Install air source heat pump.

LOCATION: Le Jaoniere, Rue Des Annevilles, St. Saviour.

APPLICANT: Ms Pownall

This permission is granted under the terms of Sections 15 and 16 of the Land Planning and Development (Guernsey) Law, 2005 (the 'Law').

Date of Grant of Permission: 12/09/2024

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 29/07/2024 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: Tyrrell Dowinton Associates - 2237 01.01B, 03.01B, 03.02B, 03.03D & 03.04
Viessmann heat pump specification.

Application Ref: FULL/2024/1229

Property Ref: E007360000

Conditions and reasons:-

1.All development authorised by this permission must be carried out and must be completed in every detail in accordance with the written application, plans and drawings referred to above. No variations to such development amounting to development may be made without the permission of the Authority under the Law.

Reason - To ensure that it is clear that permission is only granted for the development to which the application relates.

2.The development hereby permitted shall be begun within 3 years from the date of grant of this permission.

Reason - This condition reflects section 18(1) of the Land Planning and Development (Guernsey) Law, 2005 which states that planning permission ceases to have effect unless development is commenced within 3 years of the date of grant (or such shorter period as may be specified in the permission).

3.The development hereby permitted and all the operations which constitute or are incidental to that development must be carried out in compliance with all such requirements of The Building (Guernsey) Regulations, 2012 as are applicable to them, and no operation to which such a requirement applies may be commenced or continued unless (i) plans relating to that operation have been approved by the Authority and (ii) it is commenced or, as the case may be, continued, in accordance with that requirement and any further requirements imposed by the Authority when approving those plans, for the purpose of securing that the building regulations are complied with.

Reason - Any planning permission granted under the Law is subject to this condition as stated in section 17(2) of the Land Planning and Development (Guernsey) Law, 2005.

4.Noise associated with plant and machinery incorporated within the development shall be controlled such that the Rating Level, measured or calculated at 1-metre from the façade of the nearest existing noise sensitive premises, shall not exceed a level 5 dB(A) below the existing LA90 background noise level, including low frequency tones. Rating Level and existing background noise levels shall be determined as per the guidance provided in BS 4142:2014.

Reason - The premises are close to residential property and a limit on the use is needed to prevent a nuisance or annoyance to nearby residents.

Expiry Date: This permission will cease to have effect on 12/09/2027 unless development is commenced by that date.

ADVICE AND OTHER REMARKS:-

For the avoidance of doubt, this decision permits the erection of extensions to be used as an integral part of and incidental to the principal dwelling presently known as Le Jaoniere. It does not permit the creation of a separately occupied annex or an independent dwelling. This would require a separate grant of planning permission and involve different planning policy considerations.

Effect of planning permission:

Section 18 of the Land Planning and Development (Guernsey) Law, 2005 ('the Law') defines the effect of the planning permission hereby granted, namely:

(1) Planning permission ceases to have effect unless the development permitted by it is commenced within a period of three years immediately following the date on which it is granted (or such shorter period as may be specified in the permission).

(2) Planning permission enures for the benefit of the land concerned and of every person for the time being having an interest in it.

(3) Any conditions subject to which planning permission is issued are enforceable in accordance with the provisions of Part V of the Law.

(4) Planning permission for the erection of a building is only permission to use it for the purpose specified in the permission or, subject to any restriction so specified, for any other purpose for which it is designed.

(5) Planning permission is only permission to carry out the development specified in it (subject to any conditions so specified), and does not imply the giving of any other approval or consent required under this Law or any other enactment or under any rule of law.

Right of appeal against planning decisions:

Your attention is drawn to the provisions of Section 68(1) of the Land Planning and Development (Guernsey) Law 2005, which provides a right of appeal, on the merits against a decision to grant planning permission subject to conditions (except a building condition), to the Planning Tribunal, which is independent of the States of Guernsey. An appeal to the Planning Tribunal under section 68 of the Law against this decision must be made before the expiry of the period of six months beginning with the date on which the Authority made this decision. The official Appeal Notice Forms are available on the States of Guernsey website at www.gov.gg/planningpanel and must be completed with all enclosures in multiples as requested and received within the six months deadline.

Copy of representations made:

In reaching this decision the Authority took into account any written consultations made under Section 11(1) of the Land Planning and Development (General Provisions) Ordinance, 2007 ('the Ordinance'). A copy of any consultation responses made under section 11 will be included with this decision in accordance with section 19 of the Ordinance.

Other Remarks:

Please note that any work which abuts or affects the public highway requires prior approval by Traffic and Highway Services. Please contact Traffic & Highway Services (highways@gov.gg) for further advice. You must also ensure that any access/es to the development are constructed to meet the existing road/footway levels in accordance with their requirements.

This document is not a Building Licence and confers no approval under the Building Regulations.

A separate Building Control Licence may be required and it is the responsibility of the developer to ensure that ALL necessary consents are obtained and that any pre-commencement conditions are discharged prior to development being commenced.

A J ROWLES

Director of Planning
Planning Service



PLANNING APPLICATION REPORT

Application No: FULL/2024/1229
Property Ref: E007360000
Valid date: 29/07/2024
Location: Le Jaoniere Rue Des Annevilles St. Saviour Guernsey GY7 9JW
Proposal: Remove upper conservatory, erect single storey extension to north, erect single storey extension to east elevation. Add 1st floor extension to east elevation. Alterations to fenestration, driveway and hard-standing. Install air source heat pump.

Applicant: Ms Pownall

RECOMMENDATION - Grant: Planning Permission with Conditions:

1. All development authorised by this permission must be carried out and must be completed in every detail in accordance with the written application, plans and drawings referred to above. No variations to such development amounting to development may be made without the permission of the Authority under the Law.

Reason - To ensure that it is clear that permission is only granted for the development to which the application relates.

2. The development hereby permitted shall be begun within 3 years from the date of grant of this permission.

Reason - This condition reflects section 18(1) of the Land Planning and Development (Guernsey) Law, 2005 which states that planning permission ceases to have effect unless development is commenced within 3 years of the date of grant (or such shorter period as may be specified in the permission).

3. The development hereby permitted and all the operations which constitute or are incidental to that development must be carried out in compliance with all such requirements of The Building (Guernsey) Regulations, 2012 as are applicable to them, and no operation to which such a requirement applies may be commenced or continued unless (i) plans relating to that operation have been approved by the Authority and (ii) it is commenced or, as the case may be, continued, in accordance with that requirement and any further requirements imposed by the Authority when approving those plans, for the purpose of securing that the building regulations are complied with.

Reason - Any planning permission granted under the Law is subject to this condition as stated in section 17(2) of the Land Planning and Development (Guernsey) Law, 2005.

4. Noise associated with plant and machinery incorporated within the development shall be controlled such that the Rating Level, measured or calculated at 1-metre from the façade of the nearest existing noise sensitive premises, shall not exceed a level 5 dB(A) below the existing LA90 background noise level, including low frequency tones. Rating Level and existing background noise levels shall be determined as per the guidance provided in BS 4142:2014.

Reason - The premises are close to residential property and a limit on the use is needed to prevent a nuisance or annoyance to nearby residents.

INFORMATIVES

For the avoidance of doubt, this decision permits the erection of extensions to be used as an integral part of and incidental to the principal dwelling presently known as Le Jaoniere. It does not permit the creation of a separately occupied annex or an independent dwelling. This would require a separate grant of planning permission and involve different planning policy considerations.

OFFICER'S REPORT

Brief Description of the site:

The property known as 'La Jaoniere' is a 1970's dwelling with a ground floor and lower ground floor. The dwelling sits towards the middle of the site with vehicular access coming from the southwest off Rue des Annevilles, which runs along the whole southwest boundary. Rue du Moulin runs along the west and north boundaries and to the east is the reservoir buildings and land. The land falls away from the south to the north. The property is located Outside of the Centres and within an Agriculture Priority Area as defined in the Island Development Plan.

Relevant History:

There is no relevant history pertaining to this application.

Existing Use(s):

Residential use class 1: dwelling house.

Assessment: *(Tick as appropriate)*

no representation

☒

accords with policy

☒

visual amenity acceptable

☒

no material neighbour impact

☒

within curtilage
design acceptable

X
X

traffic not affected

X

Policies considered most relevant:

GP8: Design
GP9: Sustainable Development
GP13: Householder Development

Consultations:

The Office of Environmental Health and Pollution Regulation.

01/08/2024

'I have reviewed the proposed plans for La Jaoniere which were received by email on 29th July 2024 and there is an issue of concern that I must raise. I note that in the GP9 Statement included in document "Le Jaoniere – Existing & Proposed Plans" it states, "An air source heat pump is being considered if it can be proven to work with the underfloor heating system and is cost effective to install, however this may not form part of the final construction works and is applied for on the basis of having an area approved for its installation." As the applicant wishes for an approved area for its installation, before having provided a manufactures specification for a model of ASHP I cannot provide informed comments. The ASHP manufactures specification is essential as it would provide the Sound Power Levels (SWL) of their desired ASHP. A final exact location is required to inform in the distance from the source and receptors. This information is essential to inform calculations to establish if a location is suitable and if a potential noise nuisance could be posed to neighbours. I note there is an ASHP location detailed on the plans however this proposed location may change when the client selects their desired ASHP. The location may also influence how cost effective the installation location and type of ASHP is to the client. As such, at this stage there is insufficient information to be able to comment and I will not be able to provide comments on a "approved location" without the manufacture's specification detailing the SWL and exact location they want the unit to be installed. As such I would encourage the client to select their desired ASHP and I will be happy to provide further comments.'

12/09/2024

'I have completed some calculations to assess the noise level that could be experienced at a local property, which could be up to 19 dB, from the installation of the Viessmann Vitocal A151-A10 SP ASHP. As such, I am inclined to recommend the below condition which I believe can be complied with.

- Noise associated with plant and machinery incorporated within the development shall be controlled such that the Rating Level, measured or calculated at 1-metre from the façade of the nearest existing noise sensitive premises, shall not exceed a level 5 dB(A) below the existing LA90 background noise level, including low frequency tones. Rating Level and existing*

background noise levels shall be determined as per the guidance provided in BS 4142:2014.'

Conclusion/Brief comment:

This application is to remove the upper conservatory, erect a single storey extension to the north elevation to extend the dining room, erect a single storey extension to the east enlarging the morning room and creating a link between the main dwelling and the garage, to house a utility room. Add a first floor above the east end of the garage linked to the dwelling to house a fourth bedroom. Plus some alterations to the fenestration, the driveway and the hard standing. Finally, the installation of an air source heat pump.

Due to the rural location and topography of the land in the area, plus extensive mature boundary treatments, the property cannot be seen from many public view points. The property sits low in its surroundings, which means the changes would not be noticeable by the public.

The proposals are considered to achieve a good standard of design, using materials which complement the existing materials. The extensions will provide adequate levels of sunshine and daylight, and give the occupiers more flexible and adaptable accommodation.

The scale and massing of all the new extensions are not considered to have a detrimental effect on the character and amenity of the surrounding area, nor will they have any impact on any of the immediate neighbours as they are all situated at a much lower level.

Confirmation has been received that the development proposed has been designed to take into account matters of energy efficiency and current Building Regulations in accordance with Policy GP9.

The application also includes an air source heat pump. The specification of which has been assessed by Environmental Health and an appropriate condition added to ensure the noise emitted by the pump is within reasonable limits.

The proposals are considered to conform to the above policies of the Island Development Plan and grant of permission is recommended, subject to conditions.

All material considerations as set out in the Land Planning and Development (Guernsey) Law, 2005 and the Land Planning and Development (General Provisions) Ordinance, 2007 have been taken into account in the assessment of this application.

Recommendation:

Grant with Conditions



Date: 12/09/2024

